

PART ONE
NEW RETIREMENT ENTITLEMENTS AND COMPUTATIONS

CHAPTER 1
INITIAL ENTITLEMENTS---RETIREMENTS

SECTION A
SERVICE CREDITABLE FOR
RETIREMENT PURPOSES

***10101. General**

a. A computation of creditable service may be required at any time during a member's military career for the purpose of retirement. A warrant officer or an enlisted member may be voluntarily retired after completion of 20 years of creditable service. An enlisted member of the Army and Air Force who retires upon completion of 20 years of creditable service then becomes a member of the Reserve force. A commissioned officer may be voluntarily retired after completion of 20 years of active service, at least 10 years of which is active commissioned service. (During the period 1 Oct 1990 through 30 Sep 1995, the Secretary concerned may reduce the active commissioned service requirement for retirement for officers from 10 years to 8 years.) Members who continue on active duty after completion of 20 years' service may be retired for voluntary or involuntary reasons. Members who incur a disability while serving on active duty or while called to active duty for training for 30 days or less in the military services may be retired, at which time a service computation is required.

b. Creditable service for the purpose of determining retirement eligibility or whether a member meets the requirements for retirement varies with each retirement type. Retirement types and the specific service creditable for each are in paragraphs 10102 through 10108. Service which is not creditable is in paragraph 10109.

10102. Voluntary Retirement---Enlisted Members
(Table 1-1-1)

- a. All active service in the uniformed services.
- b. Active service in the Army or Navy Nurse Corps as it existed at any time before 16 Apr 1947.
- c. Active service performed under appointment under the Act of 22 Dec 1942, or the Act of 22 June 1944.

d. Active full-time service, except as a student or apprentice, with the Medical Department of the Army as a civilian employee in the dietetic or physical therapy categories, if that service was performed after 6 Apr 1917 and before 1 Apr 1943.

e. Active full-time service, except as a student or apprentice, in the occupational therapy category, if that service was performed before appointment in the Army Nurse Corps or Women's Medical Specialist Corps or before appointment in the Air Force with a view to designation as an Air Force nurse or medical specialist and before 1 Jan 1949.

f. Service as a cadet or midshipman at a Service academy.

10103. Voluntary Retirement---Regular and Reserve Commissioned Officers (Table 1-1-1)

- a. Active service in the uniformed services.
- b. The following service computed under 10 U.S.C. 3683 in addition to any other service that may be credited:

(1) Active service performed in the Army Nurse Corps and Navy Nurse Corps as they existed at any time before 16 Apr 1947.

(2) Active service performed under appointment under the Act of 22 Dec 1942 and 22 June 1944.

(3) Active full-time service, except as a student or apprentice, with the Medical Department of the Army as a civilian employee in the dietetic or physical therapy categories, if the service was performed after 6 Apr 1917 and before 1 Apr 1943.

(4) Active full-time service, except as a student or apprentice, in the occupational therapy category, if that service was performed before appointment in the Army Nurse Corps or Women's Specialist Corps and before 1 Jan 1949.

c. If an officer of the Regular Army or Air Force, all active service performed as an officer of the Philippine constabulary.

d. If an officer of the Regular Army or Regular Air Force in the Medical Corps, in addition

to the above service all full-time service performed as:

- (1) Contract surgeon.
- (2) Active assistant surgeon.
- (3) Contract physician, under a contract

to serve full-time and to take and change station as ordered.

e. If retiring as an officer of the Regular Army or Regular Air Force in the Dental Corps, in addition to the above service, all full-time service performed as:

- (1) Contract dental surgeon.
- (2) Acting dental surgeon.

f. To determine whether a commissioned officer of the Army Nurse Corps or the Army Medical Specialist Corps may be retired under 10 U.S.C. 3911, and whether an Air Force nurse or medical specialist may be retired under 10 U.S.C. 8911, treat all service credited under paragraph 10103b(1), (2), (3), and (4) as service as a commissioned officer.

10104. Voluntary or Mandatory Retirement---Warrant Officers (Table 1-1-1)

- a. Active service in the uniformed services.
- b. All service as:

1901.

- (1) Nurse or contract nurse before 2 Feb 1901.
- (2) Reserve nurse after 2 Feb 1901.
- (3) Contract surgeon.
- (4) Contract dental surgeon.
- (5) Acting dental surgeon.
- (6) Veterinarian in the quartermaster

department, cavalry, or field artillery.

c. Service on the active list, or on active duty, or while participating in full-time training or other full-time duty provided for or authorized under the National Defense Act as amended, or the Naval Reserve Act, as amended, as:

- (1) Army field clerk.
- (2) Field clerk, Army Quartermaster

Corps.

10105. Mandatory Retirement---Regular Commissioned Officers, Army, and Air Force (Table 1-1-2)

Years of service credited at the time of original appointment in the Regular Army for the purpose of determining eligibility for promotion, except that in paragraph 10109b of this section, plus all years of active commissioned service in the Regular Army after that appointment, or years of service

computed as in a through 1 below, whichever applies:

a. Reserve judge advocate appointed in the Regular Army in grade of captain in the Judge Advocate General's department:

(1) Years of active commissioned service in the Army after becoming 21 years of age, after 7 Dec 1941 and before date of that appointment, or the number of days, months, and years by which the member's age at the time of appointment exceeded 25 years, whichever is greater, plus

(2) Years of active commissioned service in the Regular Army after that appointment.

b. Officer appointed in the Regular Army, except the Army Nurse Corps or Army Medical Specialist Corps before 31 Dec 1947, other than an officer covered by b above, or appointed in the Regular Army under the Act of 28 Dec 1945:

(1) Years of active commissioned service in the Regular Army after that appointment, plus

(2) Years of active commissioned service in the Army after becoming 21 years of age and after 7 Dec 1941, under any earlier appointment.

c. Officer appointed in the Regular Army, except the Army Nurse Corps or Army Medical Specialist Corps after 31 Dec 1947, other than an officer appointed in the Women's Army Corps, Regular Army, under Section 108 of the Women's Armed Services Integration Act of 1948:

(1) Years of active commissioned service in the Regular Army after that appointment, plus:

(2) Years of active commissioned service in the Army after becoming 21 years of age and after 31 Dec 1947, under any earlier appointment.

d. Officer of the Regular Air Force appointed in the Regular Air Force before 1 Jan 1948, under the Act of 28 Dec 1945, the sum of:

(1) The years credited under that Act at the time of appointment,

(2) Years of active commissioned service in the Regular Army or Regular Air Force after that appointment, plus

(3) The service, but not more than 2 years, by which the member's service on 20 July 1956 was authorized to be increased under Section 27 of Public Law 85-861 for the purpose of determining grade, position on the promotion list, seniority, eligibility for promotion, and mandatory retirement.

Officer appointed in the Regular Air Force under Section 308 of the Women's Armed Services Integration Act of 1948, the sum of:

(1) The years of service credited under that section at the time of appointment,

(2) Years of active commissioned service in the Regular Air Force after that appointment, plus:

(3) The service credited under subparagraph d(3) above.

f. Reserve judge advocate appointed in the Regular Army in the grade of captain in the Judge Advocate General's Department under section 24e of the National Defense Act, as amended:

(1) The years of active commissioned service in the Army after becoming 21 years of age, after 7 Dec 1941, and before the date of that appointment, or the number of days, months, and years by which the member's age at the time of that appointment exceeded 25 years, whichever is greater, plus:

(2) The years of active commissioned service in the Regular Army or Regular Air Force after that appointment plus the service credited under subparagraph d(3) above.

g. Air Force nurse or medical specialist:

(1) The period of service credited under the Army-Navy Nurses Act of 1947, as amended, or commissioned service in the Armed Forces, not to exceed 14 years, after 6 Dec 1941, performed after becoming 21 years of age and before appointment, plus

(2) The years of active commissioned service in the Regular Air Force after appointment in the Regular Air Force.

h. Officer of the Regular Air Force appointed in the Regular Army or Regular Air Force before 31 Dec 1947, other than an officer covered by d, f, and g above, the sum of:

(1) The years of active commissioned service in the Regular Army and Regular Air Force after that appointment,

(2) The years of active commissioned service in the Army and Air Force after becoming 21 years of age and after 7 Dec 1941, under any earlier appointment, plus

(3) The service credited under subparagraph d(3) above.

i. Officer of the Regular Air Force appointed in the Regular Army or Regular Air Force after 31 Dec 1947, under section 506 of the Officer Personnel Act of 1947, the sum of:

(1) The years of active commissioned service in the Regular Army or Regular Air Force after that appointment,

(2) The years of active commissioned service in the Armed Forces after becoming 21

years of age and after 6 Dec 1941, under any earlier appointment, plus

(3) The service credited under subparagraph e(3) above.

j. Officer of the Air Force who was appointed in the Regular Army or Regular Air Force after 31 Dec 1947, other than an officer covered by e, g, i, or k:

(1) The years of active commissioned service in the Regular Army or Regular Air Force after that appointment,

(2) Years of active commissioned service in the Air Force after becoming 21 years of age and after 31 Dec 1947, under any earlier appointment, plus

(3) The service credited under d(3) above.

k. Officer of the Regular Air Force who was appointed in the Regular Air Force after 19 July 1956, other than an officer covered by g or i above, or who is designated as a medical or dental officer, the sum of:

(1) The years of active commissioned service in the Regular Air Force after that appointment,

(2) Years of active commissioned service in the Armed Forces after becoming 21 years of age and before appointment, plus

(3) The years credited for the purpose of determining grade, position on a promotion list, seniority, and eligibility for promotion under one of these:

(a) Three years, if appointed in the Regular Air Force with a view to designation as a medical service officer, and if holding a degree of doctor of philosophy or comparable degree in science allied to medicine,

(b) Not more than 8 years, if one of not more than 100 persons in any calendar year who are appointed from civil life or from Reserves of the Air Force who have qualifications not otherwise available from members of the Air Force on active duty,

(c) Not more than 2 years, if appointed while on active duty in the Air Force.

l. An officer of the Army or Air Force under the Defense Officer Personnel Management Act is credited with:

(1) The years of active service.

(2) The years of service, not included in clause (1), with which member was entitled to be credited on 31 May 1958, in computing basic pay.

10106. Mandatory Retirement---Regular Officers-Navy and Marine Corps (Table 1-1-2)

a. The total commissioned service of a male officer on the active list in the line of the Navy or of the Marine Corps who has served continuously on the active list since appointment in the grade of ensign or second lieutenant either upon graduation from the Naval Academy or under 10 U.S.C. 2106, 2107, or 6909 is computed from 30 June of the fiscal year in which the officer accepted that appointment.

b. Every other male officer on the active list in the line of the Navy or Marine Corps is considered to have the same service as in a above who:

(1) Has not lost numbers or precedence,

and

(2) Is, or at any time has been, junior to the other officer for the purposes of eligibility for promotion and selection for promotion during the other officer's latest period of continuous service on the active list.

c. The total commissioned service of each officer on the active list of the Navy in the Supply Corps or the Civil Engineer Corps who was originally appointed as a Regular or as a Reserve in the grade of ensign in the line, or any staff corps, or in the grade of lieutenant (junior grade) in the Civil Engineer Corps, and who has served continuously on active duty since that appointment, is computed from 30 June of the fiscal year in which the officer accepted that appointment, beginning 7 Aug 1947.

d. The total commissioned service of each officer originally appointed in the grade of lieutenant (junior grade) or ensign in any staff corps of the Navy, except the Supply Corps and the Civil Engineer Corps who has since that appointment served continuously on the active list of the Navy, is computed from 30 June of the fiscal year in which the officer accepted that appointment. However, this provision does not apply to officers appointed under the Act of 18 Apr 1946.

e. Every other commissioned officer on the active list of the Navy in any staff corps is considered to have the same total commissioned service as the officer in the same corps described in c and d above, having the maximum total commissioned service who:

(1) Has not lost numbers or precedence;

and

(2) Is, or at any time has been, junior to the other officer for the purposes of eligibility for promotion and selection for promotion during that

other officer's latest period of continuous service on the active list.

f. Notwithstanding the provisions of e above, officers on the active list of the Navy in the Medical Service Corps appointed under the Act of 18 Apr 1946, are considered to have total commissioned service equivalent to that of their running mate.

g. Officers on the active list of the Navy in the Nurse Corps are credited with:

(1) Active service in the Nurse Corps and the Nurse Corps Reserve, and

(2) Active service in the Nurse Corps and the Nurse Corps Reserve abolished by the Army-Navy Nurses Act of 1947.

h. An officer of the Navy or Marine Corps under the Defense Officer Personnel Management Act is credited with:

(1) The years of active service;

(2) The years of service, not included in clause (1) with which member was entitled to be credited on 31 May 1958, in computing basic pay.

10107. Disability Retirement (Table 1-1-3)

a. A member of a Regular component of the armed forces is credited with the greater of all service he or she is considered to have for the purpose of separation or mandatory elimination from the active list, or the sum of:

(1) All active service as a member of the armed forces as a nurse, Reserve nurse after 2 Feb 1901, contract surgeon, contract dental surgeon, or acting dental surgeon;

(2) Active service as a commissioned officer of the National Oceanic and Atmospheric Administration (NOAA), or the Public Health Service (PHS). See paragraph 10111c for information regarding NOAA and its two predecessor organizations (Environmental Science Services Administration and the Coast and Geodetic Survey).

(3) Service while participating in exercises or performing active duty training and drills in the National Guard, under 32 U.S.C. 502, 503, 504, and 505.

b. A member who is not a member of a Regular component of the armed forces is credited with the sum of (1) through (4) below, divided by 360:

(1) All days of active service;

(2) All days of full-time service while performing annual training duty or attending prescribed periods of instruction designated as a

service school by law or by the Secretary concerned;

(3) One day for each point credited in the federally recognized National Guard before 15 June 1933, but not more than 60 days in any 1 year;

(4) Fifty days for each year before 1 July 1949, and proportionately for each fraction of a year, of service (other than active service) in a Reserve component of the armed forces, in the Army or Air Force without component, or in any other category covered by 10 U.S.C. 1332(a)(1).

10108. Age and Service Retirement--Non-Regular Member

a. Creditable service for retirement includes:

(1) Years of service before 1 July 1949 in:

(a) The uniformed services,
(b) Federally recognized National Guard before 15 June 1933,

(c) Federally recognized status in the National Guard before 15 June 1933,

(d) National Guard after 14 June 1933, if service was continuous from date of enlistment in the National Guard or Federal recognition as an officer therein, to date of enlistment or appointment in the National Guard of the United States, the Army National Guard of the United States, or the Air National Guard of the United States,

(e) Naval Reserve force,

(f) Naval militia that conformed to the standards prescribed by the Secretary of the Navy,

(g) National naval volunteers,

(h) Army or Navy Nurse Corps, Reserve of the Army or Navy as it existed at any time after 2 Feb 1901,

(i) The Army under appointment under the Act of 22 Dec 1942,

(j) Active full-time status, except as a student or apprentice with the Medical Department of the Army as a civilian employee in:

1. The dietetic or physical therapy categories if the service was performed after 6 Apr 1917, and before 1 Apr 1943,

2. The occupational therapy category, if the service was performed before appointment in the Army Nurse Corps or Women's Medical Specialist Corps and before 1 Jan 1949, or before appointment in the Air Force before 1 Jan 1949, with a view to designation as an Air Force nurse or medical specialist.

(2) Each 1-year period after 1 July 1949, in which the member has earned at least 50 points on this basis:

(a) One point for each day of active service. Service as a cadet or midshipman at a service academy is active service for non-regular enlisted members only.

(b) One point for each day of full-time service, while performing annual training or attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned.

(c) One point for each attendance at a drill or period of equivalent instruction prescribed for that year by the Secretary concerned.

(d) Points at the rate of 15 a year for membership in a Reserve component of the armed forces, in the Army or Air Force without component, or in any other category covered by 10 U.S.C. 1332(a)(1) except a regular component.

Note: For the purpose of paragraph 10108b(1), (2), and (3) all service in the National Guard is treated as if it were service in a Reserve component, if the member was later appointed in the National Guard of the United States or Air National Guard of the United States, or as a Reserve of the Army or Air Force and served continuously in the National Guard from date of Federal recognition to date of that appointment.

b. A member of the armed forces or National Guard is entitled to retired pay computed under table 1-3-1, rule 14, for non-regular service upon application if he or she:

(1) Is at least 60 years of age;

(2) Has performed at least 20 years' service as shown in paragraphs 10108a or b;

(3) Has performed the last 8 years of qualifying service as a member of any category named in 10 U.S.C. 1332(a)(1) but not while a member of a Regular component, the Fleet Reserve or the Fleet Marine Corps Reserve; and

(4) Is not entitled, under any other provision of law, to retired pay from the armed forces or retainer pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve.

c. A member who has been notified that the years of service requirement has been met for eligibility for retired pay at age 60, may not have that eligibility denied or revoked on the basis of any error, miscalculation, misinformation, or administrative determination of years of service performed, unless it resulted directly from fraud or misrepresentation of the person.

(1) Notification to the member of completion of 20 qualifying years of service will conform to applicable service regulations. However, nonconforming written notice, although administratively issued in error, may not result in the denial of retired pay if such notice is issued from one who has apparent responsibility for the issuance of such notice and the notice uses words advising the member that the member has completed the service requirements for eligibility for retired pay at age 60, provided that there is no evidence to show that the member caused the record of creditable service to be altered or confused.

(2) The number of years of creditable service upon which retired pay is computed may be adjusted to correct any error, miscalculation, misinformation, or administrative determination. When such a correction is made, the retiree is entitled to retired pay in accordance with the number of years of creditable service, as corrected, from the date the retiree is granted retired pay.

(3) Notwithstanding subparagraph (2) above, the granting of retired pay to a retiree under Chapter 67 of Title 10 U.S.C. is conclusive as to that retiree's entitlement to such pay only if the payment of retired pay began after 14 Oct 1966. A notification that a person has completed the years of service required for eligibility for retired pay under chapter 67 is conclusive as to that person's subsequent entitlement to such pay only if the notification is made after 14 Oct 1966.

d. Under 10 U.S.C. 1331, members of the Reserve who have reached age 60 and have at least 20 years of qualifying Federal service are qualified for retired pay. A member who has qualified for retired pay, but retained under 10 U.S.C. 676, with member's consent, may be credited with the service for all purposes. However, a member who elects to receive retired pay under 10 U.S.C. 1331 may not simultaneously be retained on active duty or in active service under 10 U.S.C. 676.

10109. Service Not Creditable for Determining Retirement Eligibility

a. Service may not be credited to enlisted member for the following time required to be made up:

- (1) Desertion.
- (2) Absence from organization, station, or duty for more than 1 day without proper authority, as determined by service concerned.
- (3) Confinement for more than one day awaiting trial and disposition of case, when

conviction has become final, or under a sentence that has become final.

(4) Inability for more than 1 day, as determined by competent authority, to perform duties because of intemperate use of drugs or alcoholic liquor, or because of disease or injury resulting from own misconduct.

b. Constructive service, credited under 10 U.S.C. 3287(a)(2)(A) or (B), 3294(b) or 506(c) of the Officer Personnel Act of 1947 (61 Stat 890), is not included in the service computation under paragraph 10105a. Constructive service creditable may be:

(1) Three years, if appointed as a chaplain, in the Judge Advocate General's Corps, or in the Veterinary Corps of the Regular Army.

(2) Three years, if appointed in the Medical Service Corps and if holding the degree of doctor of philosophy or comparable degree recognized by the Surgeon General.

(3) Four years (five, if member completed 1 year internship) credited at the time of appointment in the Medical or Dental Corps for the purpose of determining grade, position on a promotion list, seniority in grade in the Regular Army, and eligibility for promotion.

c. This service may not be counted for the purpose of determining retirement eligibility under paragraph 10107:

(1) Service, other than active service, in an inactive section of the Organized Reserve Corps or Army Reserve, or inactive section of the officers' section of the Air Force Reserve.

(2) Service, other than active service, after 30 June 1949 while on the Honorary Retired List of the Naval Reserve or of the Marine Corps Reserve.

(3) Service in the inactive National Guard or in a nonfederally recognized status of the National Guard.

(4) Inactive service in the Fleet Reserve or Fleet Marine Corps Reserve.

(5) Service as an inactive Reserve nurse of the Army Nurse Corps established by the Act of 2 Feb 1901, as amended, and service before 1 July 1938, as an inactive Reserve nurse of the Navy Nurse Corps, established by the Act of 13 May 1908.

(6) Service in any status other than that as a commissioned officer, warrant officer, nurse, flight officer, appointed aviation cadet, or enlisted member, and that described in paragraph 10101 as creditable.

SECTION B
SERVICE CREDITABLE FOR
BASIC PAY

10111. Service for Basic Pay

Basic pay varies with the number of years of service to a member's credit. In computing cumulative years of service for this purpose, members are credited full-time service.

a. Organizations in General.

Active or inactive service as a commissioned officer, commissioned warrant officer, warrant officer, flight officer, or enlisted member in any of these:

- (1) Air Corps Reserve
- (2) Air Force Reserve
- (3) Air Force of the United States (without specification of component)
- (4) Air National Guard
- (5) Air National Guard of the United States
- (6) Army of the United States (without specification of component)
- (7) Army National Guard
- (8) Army National Guard of the United States
- (9) Army Reserve
- (10) Coast and Geodetic Survey (see c below)
- (11) Coast Guard Reserve
- (12) Commissioned Corps of the Environmental Science Services Administration (see c below)
- (13) Commissioned Corps of the National Oceanic and Atmospheric Administration (see c below)
- (14) Dental Reserve Corps of the Navy
- (15) Enlisted Reserve Corps
- (16) Enlisted Section of the Air Force Reserve
- (17) Marine Corps Reserve
- (18) Marine Corps Reserve Force
- (19) Medical Reserve Corps of the Army
- (20) Medical Reserve Corps of the Navy
- (21) National Guard
- (22) National Guard of the United States
- (23) National Guard Reserve
- (24) National Naval Volunteers
- (25) Naval Reserve
- (26) Naval Reserve Force
- (27) Nurse Corps of the Public Health Service
- (28) Nurse Corps Reserve of the Public Health Service
- (29) Officers' Reserve Corps

- (30) Officers' Section of the Air Force Reserve
- (31) Organized Reserve Corps
- (32) Philippine Constabulary before 4 July 1946
- (33) Philippine Scouts
- (34) Public Health Service
- (35) Regular Air Force
- (36) Regular Army
- (37) Regular Army Reserve
- (38) Regular Coast Guard
- (39) Regular Marine Corps
- (40) Regular Navy
- (41) Reserve Corps of the Public Health Service

Service

b. Nurse Service Before 16 Apr 1947

Creditable periods are those during which members held appointments as nurses, Reserve nurses, or commissioned officers in the Army Nurse Corps or the Navy Nurse Corps, of the Reserve components thereof, as they existed before 16 Apr 1947.

c. National Oceanic and Atmospheric Administration (NOAA). Periods during which a member was an officer, deck officer, hydrographic and geodetic engineer, junior hydrographic and geodetic engineer or aid in the NOAA (includes periods served in the former corps of the Environmental Science Services Administration or the Coast and Geodetic Survey) is creditable service. Service as a shipkeeper, seaman, fireman, oiler, etc. under "shipping articles" is not creditable service.

d. Service Counted on 10 Jan 1962. All service is creditable which, under any law in effect on 10 Jan 1962, was creditable in computing basic pay.

e. Service on Retired List or as Member of Fleet Reserve or Fleet Marine Corps Reserve Creditable periods are those while on a temporary disability retired list, honorary retired list, or retired list of any uniformed service; and periods while entitled to retired pay, retirement pay, or retainer pay from any uniformed service or the Department of Veterans Affairs as a member of the Fleet Reserve or Fleet Marine Corps Reserve. Except for periods of active service and except as provided under subsections (b), (c), and (d) of 10 U.S.C. 1402 and 1402a, periods of service on a retired list, in a retired status, or in the Fleet Reserve or Fleet Marine Corps Reserve, may not be credited to increase retired or retainer pay. Under subsections (b), (c), and (d) of 10 U.S.C. 1402 and 1402a, where a member is retired (including a retirement other than for physical disability),

serves on active duty and is again retired, the inactive time on the retired list prior to the recall to active duty is included in a recomputation of retired pay for disability.

f. Honorary Reserve. All periods while a member of the Honorary Reserve of the Officers Reserve Corps or the organized Reserve Corps are creditable.

g. Women's Army Auxiliary Corps
Effective 7 Aug 1959, active service during the period 14 May 1942 through 29 Sep 1943, as a member of the Women's Army Auxiliary Corps (WAAC) maybe counted if active military service was performed after 29 Sep 1943.

h. Army and Air Force Officers Restored to Duty Under Act of 29 June 1948. The period between the date of removal and the date of restoration of an Army or Air Force officer restored to the active list under the Army and Air Force Vitalization and Retirement Equalization Act of 1948 is creditable.

i. Retention for Medical Care After Expiration of Term of Service. Any period on and after 12 Dec 1941, when an enlisted member of the armed forces is retained in service after expiration of his or her term of service for medical treatment or hospitalization for disease or injury incident to service and not due to member's misconduct is creditable.

j. Service Before Attainment of Statutory Age for Enlistment. Any service which is otherwise creditable may be counted even if the service was performed before a member attained the statutory age for enlistment. Such service may not be counted if it is determined to be fraudulent and is voided for that reason.

k. Temporary Member of Coast Guard Reserve. Active service performed as a temporary member of the Coast Guard Reserve is creditable.

l. Army of the United States Commissions---World War II. Appointments made on and after 7 Dec 1941, in the Army of the United States, without component, under the Joint Resolution of 22 Sep 1941 are considered to have continued in effect through 31 Mar 1953 unless terminated before that date by administrative action or specific law. The period from the date of separation through 31 Mar 1953 may be credited for officers who:

(1) Did not have Reserve or National Guard status,

(2) Did not accept a Reserve commission, and

(3) Were separated on or before 31 Mar 1953, without vacating their Army of the United States status.

m. Warrant Officer Appointment---World War II. For a temporary appointment as a warrant officer under section 3 of the Act of 21 Aug 1941, the period from separation from active duty through 1 Apr 1953 is creditable unless the appointment was expressly terminated earlier.

n. Flight Officer Appointment---World War II. For an appointment as a flight officer under the Flight Officer Act of 8 July 1942, the period from separation from active duty through 27 Oct 1952 is creditable unless the appointment was expressly terminated earlier.

o. Service Terminated By Desertion or Dishonorable Discharge. Service in an enlistment terminated by desertion or dishonorable discharge is creditable unless the enlistment was fraudulent and was voided for that reason.

p. Women's Army Corps. Appointments in the Women's Army Corps in the Army of the United States, without component, if not previously terminated, were terminated on 31 Mar 1953. Such service is creditable for basic pay purposes.

q. Service as Cadet or Midshipman

Cadet or midshipman service is creditable in computing basic pay of enlisted members. For officers, see table 1-1-4.

r. Detail to Agencies such as the Agency for International Development (AID), Department of State. Service with AID and certain other agencies under agreement such as that between the Department of Defense and AID is creditable.

***s. Reserve Officer's Training Corps**

Service as a member of the Army, Navy, or Air Force Reserve Officer's Training Corps is creditable service as follows:

(1) Before 14 Oct 1964. Any member who had concurrent Reserve status.

(2) After 13 Oct 1964. An enlisted member who had concurrent Reserve status.

t. Aviation Midshipman. Service in the aviation midshipman program, Act of 13 Aug 1946, Chapter 962, 60 Stat 1057, is creditable service for basic pay purposes effective on and after 26 Dec 1974.

***u. Delayed Enlistment (Entry) Program**

(1) For a Regular Component. Service as an enlisted member in the Reserves before beginning active duty in a Regular component is creditable service if the member enlisted in the

Reserve component before 1 Jan 1985.

(2) For a Reserve Component. Service as an enlisted member in the Reserves before beginning service on active duty or active duty for training in a Reserve component is creditable service if the member enlisted in the Reserve component before 28 Nov 1989. For enlistments on or after 28 Nov 1989, it is creditable service if the Reserve member performs inactive duty training before beginning service on active duty for training.

10112. Constructive Service Credit for Medical and Dental Officers

a. Crediting of Constructive Service after 14 Sep 1981. Crediting of constructive service for medical or dental training or internship is not authorized after 14 Sep 1981 except as provided in b below.

b. Savings Provisions for Constructive Service Previously Granted. Prior to 15 Sep 1981, medical and dental officers who completed medical/dental training received 4 years' credit for such training. Medical officers who completed medical internship or its equivalent or entered military status while serving such internship received an additional 1 year credit. The 4 or 5-years' constructive service credit is reduced when required by c below. After 14 Sep 1981, medical/dental officers with military or Public Health Service status may be credited with constructive service if one of the following conditions exist:

(1) On 14 Sep 1981, they were enrolled in the Armed Forces Health Professions Scholarship Program or Uniformed Services University of the Health Sciences and completed such program or graduated on or after 15 Sep 1981 and are appointed as medical or dental officer (includes Public Health Service).

(2) On 14 Sep 1981, they were participating in a program leading to (a) an appointment as an officer in the Army, Navy, Air Force, or Marine Corps and (b) the crediting of years of service.

(3) On 15 Sep 1981, they were medical or dental officers (includes officers of the Public Health Service commissioned as medical or dental officers) entitled to include constructive service.

*(4) On or before 14 Sep 1981, the member had at any time been credited with constructive service as an officer, notwithstanding any subsequent break in service.

c. Reduction of Constructive Service for Dual Credit. Reduce the 4 or 5-years' credit by the amount of any service otherwise counted (such as active duty or reserve status) which covers any part of the actual periods spent in medical or dental school or as an intern.

(1) Constructive service credit for a medical or dental officer who accepts a commission during the time the officer is a medical or dental student is computed on a 4-year basis.

(2) Constructive service credit for a medical officer who accepts a commission while interning is computed on a 5-year basis.

(3) A medical or dental officer who was commissioned before entering medical or dental school is still entitled to any allowable constructive service credit.

(4) No reduction of constructive service credit is required for the period a medical or dental officer participated in the Armed Forces Health Professions Scholarship Program or while a student of the Uniformed Services University of Health Sciences, since the member was not given any creditable service for pay purposes for that period of service.

d. Examples: Constructive Service Credit for Medical and Dental Officers. All examples except (6) assume no creditable service before acceptance of commission.

(1) Dental officer completed all education requirements before accepting commission. Constructive service credit: 4 years.

(2) Medical officer completed internship before accepting commission. Constructive service credit: 5 years.

(3) Medical officer entered medical school 9 Sep 1970 and graduated 28 May 1974, interned at a civilian hospital from 1 July 1974 to 30 June 1975, and accepted a commission on 12 Jan 1972. Compute:

NOTE:	Year	Month	Day
a.	74	05	28
b.	<u>72</u>	<u>01</u>	<u>12</u>
c.	2	04	17

(1 day added for inclusive dates)

d.	3	11	30 (4 years)
e.	<u>2</u>	<u>04</u>	<u>17</u>
f.	1	07	13

NOTES:

- a. Graduated
- b. Accepted commission
- c. Dual status
- d. Maximum credit
- e. Less dual status
- f. Constructive credit

(4) Same as (3) above except officer accepted a commission on 12 Jan 1975. Since officer accepted a commission while interning, computation is based on 5 years' constructive credit.

NOTE:	Year	Month	Day
a.	75	06	30
b.	<u>75</u>	<u>01</u>	<u>12</u>
c.	0	05	19

(1 day added for inclusive dates)

d.	4	11	30 (5 years)
e.	<u>0</u>	<u>05</u>	<u>19</u>
f.	4	06	11

NOTES:

- a. Completed internship
- b. Accepted commission
- c. Dual status
- d. Maximum credit
- e. Less dual status
- f. Constructive credit

(5) This officer attended the same medical school as (3) above, but accepted a commission on 9 Sep 1962 (before entering medical school).

NOTE:	Year	Month	Day
a.	74	05	28
b.	<u>70</u>	<u>09</u>	<u>09</u>
c.	3	08	20

(1 day added for inclusive dates)

d.	3	11	30 (4 years)
e.	<u>3</u>	<u>08</u>	<u>20</u>
f.	0	03	10

NOTES:

- a. Graduated
- b. Entered school
- c. Dual status
- d. Maximum credit
- e. Less dual status
- f. Constructive credit

* NOTE: This member could have been on active duty during any or all of the medical or dental school attendance period, and it would make no difference in the computation. However, the effective date of the change to the basic date for pay purposes (paragraph 10117) is the date the officer was designated a medical officer. For any periods of active duty, active duty for training, or inactive duty training in a pay status, before being designated a medical or dental officer, the member would be paid based on the normal basic date for pay purposes.

(6) Member enlisted in the Army Reserve on 15 May 1969, and entered medical school on 1 Sep 1970, was discharged from the Army Reserve on 31 Aug 1972, accepted a commission in the Air Force Reserve on 1 Sep 1972, and graduated on 3 June 1974.

NOTE:	Year	Month	Day
a.	74	06	03
b.	<u>70</u>	<u>09</u>	<u>01</u>
c.	3	09	03

(1 day added for inclusive dates)

d.	3	11	30 (4 years)
e.	<u>3</u>	<u>09</u>	<u>03</u>
f.	0	02	27

NOTES:

- a. Graduated
- b. Entered school
- c. Dual status
- d. Maximum credit
- e. Less dual status
- f. Constructive credit

NOTE: This member could have been in any branch of service, active or inactive, enlisted, warrant or commissioned status, and it would make no difference in the computation of the dual status period and constructive service credit.

10113. Service Not Creditable

The types of service listed below are not creditable. This list is not all-inclusive, but shows some of the service precluded by law.

a. Fraudulent Enlistment. Time spent in an enlistment which is determined to be fraudulent and is specifically terminated by reason of fraud. (A member is entitled to credit for time in a fraudulent enlistment which is not voided by the government).

b. Officer in Philippine Army

Service as a commissioned officer in the Army of the Philippines.

c. Constructive Service for Determining Grade and Eligibility for Promotion. The constructive service authorized Army and Air Force officers by the Act of 28 Dec 1945 (59 Stat 664) for determining grade and eligibility for promotion.

d. Emergency Officers Retired List. The period of time a member was on the Emergency Officers Retired List.

e. State, Home or Territorial Guard. Time spent as a member of a state, home, or territorial guard.

***f. Reserve Officers Training Corps.** For commissioned officers any period of service after 13 Oct 1964 as a member of the Army, Navy, or Air Force Reserve Officers' Training Corps, even if the member held concurrent Reserve status.

g. Inactive National Guard. Time when a person was a member of the inactive National Guard (as distinguished from the National Guard Reserve and National Guard of the United States) is not creditable. If a member held a commission or an enlisted status in the inactive National Guard and the National Guard of the United States at the same time, such service is creditable.

h. Service Under Armed Forces Health Professions Scholarship Program. Time served as a commissioned officer while training under the Armed Forces Health Professions Scholarship Program, is not creditable service (see paragraph 10112c).

i. Service as a Student of Uniformed Services University of Health Sciences. Time served as a commissioned officer while a student of the Uniformed Services University of Health Sciences is not creditable service.

j. Service as a Cadet or Midshipman at the United States Military Academy, or United

States Naval Academy Under an Appointment Accepted After 25 June 1956 (Table 1-1-5)

10114. Effect of Absence From Duty on Creditable Service

a. Absence While in Officer Status. Authorized or unauthorized absence while a member is in a commissioned or warrant officer status is counted as creditable service. Absence of commissioned or warrant officers because of sickness due to misconduct or because of confinement while awaiting (and during) trial, as distinguished from enlisted members under similar circumstances, is counted as creditable service. Absence during which a member was serving on active duty as an enlisted status and was a Reserve officer is creditable.

b. Absence While in Enlisted Status (Table 1-1-6)

c. Making Up Time Lost During Enlistment. After return to full duty, an enlisted member is liable to make up time lost. The time served to makeup lost time is creditable service. If a member is held (but not restored to a duty status) for trial or to serve sentence, this does not count as making uptime lost and is not creditable. Example: During a 4-year enlistment, a member was in a non-duty status for 1 year. He is retained in service 1 year beyond the date his enlistment would have expired. The year during which he was retained in service is counted in computing basic pay. He is entitled to total credit for 4 years (the period actually served) but not 5 years.

10115. Active Enlisted and Warrant Officer Service---Pay Grade O-1E, O-2E, or O-3E

a. Service Counted

(1) Commissioned officers in pay grades O-1, O-2, or O-3 are entitled to the special rate of pay for O-1E, O-2E, or O-3E if the officer has had over 4 years of active service as an enlisted member. In computing active enlisted service, include active duty for training in an enlisted status.

(2) Effective 1 Sep 1980, commissioned officers in pay grades O-1, O-2, or O-3 are entitled to the special rate of pay for O-1E, O-2E, or O-3E if the officer has had over 4 years of active service as a warrant officer. In computing this active warrant officer service, include active duty for training in a warrant officer status.

(3) Effective 1 Oct 1983, commissioned officers in pay grades O-1, O-2, or O-3 are entitled to the special rate of pay for O-1E, O-2E, or O-3E if

the officer has a combined total of over 4 years of active service as a warrant officer and enlisted member. In computing this active warrant officer and enlisted service, include active duty training in a warrant officer or enlisted status.

b. Service Not Counted. In computing active service, do not count active service in a dual status in the Navy or Marine Corps (temporary officer-permanent enlisted).

10116. How to Compute Total Creditable Service for Basic Pay

a. Basic Method Without Regard to Lost Time. To compute creditable service, use this method for all periods during which no time was lost:

(1) List all beginning dates. Never change these.

(2) List all ending dates. Change the ending date to 30 if it is the last day of the month and other than 30. Caution: if service ends on 28 Feb of a leap year, do not change the 28 to 30, since the 29th is the last day of month.

(3) Add all beginning dates.

(4) Add all ending dates.

(5) Subtract total beginning dates from total ending dates. (If more months are needed to make the subtraction, deduct 1 year from the total ending dates and add 12 months. If more days are needed, deduct 1 month from total of ending dates and add 30 days.)

(6) Add 1 day for each period of continuous service to account for inclusive dates.

(7) Convert the result into full years, months, and days. This is the amount of service creditable for basic pay purposes.

Example 1:

Component	From	To
RA (Enl)	51 Jan 1	54 Feb 28
AUS (Com)	54 June 1	61 May 26
AFUS (Com)	63 Aug 1	68 Mar 31
AFUS (Com)	68 Apr 1	75 June 4

Beginning Dates

Yr	Mo	Day
51	1	1
54	6	1
63	8	1
168	15	3

Ending Dates

Yr	Mo	Day
54	2	30
61	5	26
75	6	4
190	13	60

(Note that period from 1 Aug 1963 through 4 June 1975 is continuous service.)

Yr Mo Day

190	13	60	(total of ending dates)
168	15	3	(total of beginning dates)
21	10	57	
		+3	(day for each period to cover inclusive dates)
21	10	60	
22	00	00	(total creditable service converted to full years)

Member completed 22 years service 4 June 1975.

b. Computing Periods of Service Involving Lost Time. Compute separately periods of enlistment during which some time was lost. Add total of such periods to total computed under a above.

(1) Lost Time Not Made Good. When the lost time is not made up, compute the lost time on a 30-day-month basis, except that when the absence begins on the 31st day of a month, that day is counted as a day lost. Compute: Date of discharge minus date of enlistment, plus 1 day for inclusive dates, minus number of days lost computed on 30-day-month basis. Add this total to the total computed under a above.

Example 2: Member enlisted 18 July 1970 for 4 years, and was AWOL from 10 Feb 1972 through 16 Mar 1972. He was given a hardship discharge 10 Aug 1973; the lost time was not made good. He reenlisted 20 Feb 1975. Creditable service on reenlistment is computed:

Yr Mo Day

73	8	10	(ending date of last period of service)
72	19	40	(month changed to 30 days and 1 year to 12 months)
-70	7	18	(beginning date last period of service)
2	12	22	
		+1	(extra day for inclusive dates)
<u>2</u>	<u>12</u>	<u>23</u>	(service before deducting lost time)
	-1	7	(lost time)
<u>2</u>	<u>11</u>	<u>16</u>	(total creditable service on date of reenlistment)
Lost time computed on a 30-day month basis:			
10-30 Feb	21	days	
1-16 Mar	16	days	
	37	days total lost time	

(2) **Lost Time Made Good.** Time lost is made good on a day-for-day basis. When lost time is made good and the member completes the enlistment contract or period for which inducted, compute the lost time on a day-for-day basis (instead of 30-day-month basis) if this would be to the member's advantage. Under the day-for-day basis, an unauthorized absence on 30, 31 Mar and 1 Apr, for example, is counted as 3 days' lost time. An unauthorized absence on 28 and 29 February and 1 March is also counted as 3 days lost time. Time served on 30 and 31 Mar and 1 Apr, to make good lost time, is counted as 3 days' service. Time served on 28 and 29 Feb and 1 Mar, to make good lost time, is also counted as 3 days' service. When a period of service involves lost time made good, compute that period:

First Step. Subtract the enlistment date from the discharge date and add 1 day.

Second Step. Compute the total lost time both on a 30-day month basis and a day-for-day basis. Use whichever result shows the lesser number of days lost.

Third Step. Subtract the total of the second step from the total of the first step. If the resulting total equals or exceeds the period of the enlistment contract, use this total as the service creditable for this period of service. If the resulting total is less than the period of the enlistment contract, do not

use this total. Use the full period of the contract, since the member has completed the contract. (In some cases, neither the 30-day month nor the day-for-day basis will produce a total equal to the enlistment contract or induction period. This is because of the different dates of the year when time was lost and made good. (See example 3 below.)

Fourth Step. Add the total computed under the third step above to any other periods computed under a above to obtain the members' total creditable service.

Example 3: Assume the member in example 2 had not been given a hardship discharge, but completed the enlistment contract including time served to make good lost time. Member's discharge date would be 21 Aug 1974 (35 days lost time computed on a day-for-day basis -14 days made good 18-31 July and 21 days 1-21 Aug 1974). Compute creditable service on reenlistment 20 Feb 1975:

Yr Mo Day

74	8	21	(ending date last period of service)
<u>70</u>	<u>7</u>	<u>18</u>	(beginning date last period of service)
4	1	3	
		+1	(extra day for inclusive dates)
<u>4</u>	<u>1</u>	<u>4</u>	(service before deducting lost time)

As in example 2, the lost time computed on a 30-day month basis is 37 days. On a day-for-day basis it is 35 days (19 days from 10-28 Feb and 16 days from 1-16 Mar). Deduct the lesser number of days (35).

Yr Mo Day

4	1	4	(service before deducting lost time)
3	12	34	(change of year to months and months to days)
	-1	5	(lost time)

Since this amount of service is less than the enlistment contract, and the member completed the contract, do not use this amount. Credit the member with 4 years prior service on reenlistment 20 Feb 1975.

Example 4: Member enlisted 18 July 1970 for 4 years; was AWOL 28 July 1973 through 3 Sep 1973. Member was required to make up 38 days to complete the enlistment term (28-31 July = 4 days; 1-31 Aug = 31 days; 1-3 Sep = 3 days). In making up AWOL time at the end of the enlistment, member would be credited with 14 days from 18-31 July and 24 days from 1-24 Aug. Discharge date was 24 Aug 1974. On reenlistment 20 Feb 1975 compute prior service:

Yr Mo Day

74 8 24 (ending date of last period of service)

-70 7 18 (beginning date last period of service)

4 1 6

— — +1 (extra day for inclusive dates)

4 1 7 (service before deducting lost time)

Computation of lost time on 30-day-month basis:

28-30 July 1973 3 days

1-30 Aug 1973 30 days

1-3 Sep 1973 3 days

36 days

As noted above, this lost time is 38 days computed on a day-for-day basis. Under the rule in the second step above, deduct 36 days (computed on 30-day-month basis) since it is the lesser.

Yr Mo Day

4 1 7 (service before deducting lost time)

— -1 -6 (lost time)

4 0 1 (total creditable service)

Although this member served the same number of days as the member in example 3, this member is credited with 4 years and 1 day of service on reenlistment on 20 Feb 1975.

10117. Computing Basic Date for Pay Purposes

After computation of creditable service, establish a basic date for use in determining the date when a member is entitled to increased basic pay. Names established for these dates are:

Army---pay entry basic date (PEBD)
Navy and Marine Corps---pay entry base date (PEBD)

Air Force---pay date

Compute the date:

a. Continuous Military Status

Except for medical and dental officers who receive constructive service credit, the date member enlists, is inducted, or accepts an appointment is the basic date for pay purposes. This date stays in effect if the military status continues without any breaks.

b. Noncontinuous Service. When military status has not been continuous, determine the date by deducting total prior creditable service from the date the current period of service began.

***Example:** Member reenlisted 20 Feb 1975. Total prior creditable service (computed under paragraph 10116) was 4 years and 1 day.

Yr Mo Day

1975 2 20 (date of reenlistment)

-4 0 1 (prior creditable service)

1971 2 19 (basic date upon reenlistment)

***10118. Adjusting Basic Date for Pay Purposes for Lost Time**

When an enlisted member loses time in a non-duty status under table 1-1-6, advance the basic date for pay purposes by a period equal to the time lost computed on a 30-day month basis. (For officers, date is not affected by non-duty status.)

Example: An enlisted member with no prior service enlisted on 18 July 1973. He was AWOL from 10 Feb 1975 through 16 Mar 1975. On the member's return to full duty status the date changes from 18 July 1973 to 25 Aug 1973.

10-30 Feb 21 days

1-16 Mar 16 days

37 days' lost time

Yr Mo Day

1973 7 18 (original date)

+1 7 (lost time)

1973 8 25 (adjusted date)

10119. Procedure When Basic Date for Pay Purposes Falls on 29 Feb

When the basic date for pay purposes falls on 29 Feb, use that date. In non-leap years, increased pay begins on 1 Mar. In leap years, it begins on 29 Feb.

**SECTION C
SERVICE CREDITABLE FOR
PERCENTAGE PURPOSES**

10121. Service for Percentage Multiple

Service authorized to be used as a percentage multiple is specified in each law section authorizing computation of retired pay for each type of retirement. Retirement types and service for percentage for each are:

- a. Voluntary Retirement Enlisted Members.** Service credited under paragraph 10102.
- b. Voluntary Retirement Commissioned Officers:**

(1) Active service in the uniformed services.

(2) For an officer of the Medical Corps or Dental Corps of the Army or Navy, an officer of the Air Force designated as a medical or dental officer, or an officer of the Public Health Service commissioned as a medical or dental officer, credit 4 years. For a medical officer who has completed 1 year of medical internship or the equivalent thereof, credit 1 additional year.

(a) A medical or dental officer who was in the Reserves for a period of time during which the member also was receiving educational training would be entitled to receive the same amount of constructive service credit which would have been credited had the member not been in the Reserves.

(b) Any credit otherwise accrued during the same period by reason of Reserve membership would not be for use in determining the multiplier for computing retired pay.

(3) The years of service, not included in (1) or (2) above, with which the member was entitled to be credited on 1 June 1958 in computing basic pay as stated in paragraph 10111.

(4) Years of service, not included in (1), (2), or (3), with which the member would be entitled to be credited under 10 U.S.C. 1333:

(a) Days of active service.

(b) Days of full-time service under 32 U.S.C. 316, 502-505 while performing annual training duty or attending a prescribed course of

instruction at a school designated as a service school by law or by the Secretary concerned.

(c) One day for each point, but not more than 60 days in any 1 year, credited for attendance at a drill or period of equivalent instruction that was prescribed for the year by the Secretary concerned and conformed to requirements prescribed by law, and including points at the rate of 15 a year for membership in a Reserve component of the armed forces, in the Army or Air Force without component, or in these categories before 1 July 1949:

1. Federally recognized National Guard before 15 June 1933.

2. Federally recognized status in the National Guard before 15 June 1933.

3. The National Guard after 14 June 1933, if service was continuous from date of enlistment in the National Guard, or Federal recognition as an officer therein, to date of enlistment or appointment in the National Guard of the United States, the Army National Guard of the United States, or the Air National Guard of the United States,

4. The Naval Reserve Force.

5. Naval Militia that conformed to standards prescribed by the Secretary of the Navy.

6. National Naval Volunteers.

7. Army or Navy Nurse Corps or the Nurse Corps Reserve of the Army or Navy as it existed at any time after 2 Feb 1901.

(d) Fifty days for each year before 1 July 1949, and proportionately for each fraction of a year of service other than active service in a reserve component of the Armed Forces, in the Army or Air Force without component, or in any other category of:

1. Federally recognized National Guard before 15 June 1933.

2. Federally recognized status in the National Guard before 15 June 1933,

3. The National Guard after 14 June 1933, if service was continuous from date of enlistment in the National Guard, or Federal recognition as an officer therein, to date of enlistment or appointment in the National Guard of the United States, the Army National Guard of the United States, or the Air National Guard of the United States.

4. The Naval Reserve Force.

5. Naval Militia that conformed to standards prescribed by the Secretary of the Navy.

6. National Naval Volunteers.

7. Army or Navy Nurse Corps or the Nurse Corps Reserve of the Army or Navy as it existed at any time after 2 Feb 1901. The sum of the periods described in 10121(b)(4) is then divided by 360.

c. Voluntary Retirement Warrant Officers
Service credited under paragraph 10121b.

d. Mandatory Retirement

(1) Army and Air Force service credited under paragraph 10105 or 10121b, whichever is more favorable.

(2) Navy and Marine Corps service credited under paragraph 10106 or 10121b, whichever is more favorable.

e. Disability Retirement
Service credited under paragraph 10107.

f. Age and Service Retirement, Reservist
The years of service and any fraction of a year computed by adding:

(1) Days of active service.

(2) Days of full-time service while performing annual training duty or attending a prescribed course of instruction at a school designated as a Service school by law or by the Secretary concerned.

(3) One day for each point, but not more than 60 days in any 1 year, credited for service in the Federally recognized National Guard or a Federally recognized status in the National Guard before 15 June 1933.

(4) Fifty days for each year before 1 July 1949, and proportionately for each fraction of a year of service, other than active service, in a Reserve component of the Armed Forces, in the Army or Air Force without component, or in any other category except a regular component, the sum divided by 360.

g. Other

(1) Commissioned officers and warrant officers voluntarily retired before 1 June 1958 are authorized to use the years' service credited for basic pay purposes as the years for determining the percentage multiple. Service creditable for basic pay purposes is in paragraphs 10111 and 10112.

(2) Commissioned officers who served as members of the military or naval forces of the United States before 12 Nov 1918 are authorized to use a 75 percent multiple for retired pay computation.

(3) Enlisted members are authorized to count double time for service beyond the continental limits of the United States between 1898 and 1912 while serving in the Army, Navy, or Marine Corps of the United States.

(4) Members who were retired for disability before 1 Oct 1949, who did not elect within a 5-year period to receive retired pay under Section 511 of the Career Compensation Act of 1949, are still authorized to use a 75 percent multiple for computation of retired pay. Also see section D, chapter 3, this part.

SECTION D

**UNIFORM RETIREMENT DATE ACT
(URDA) APPLICATION (5 U.S.C. 8301(b))**

10131. Authority

a. Except as otherwise specifically provided by statute, retirement is effective on the first day of the month after that in which retirement would otherwise be effective.

b. Notwithstanding a above, the rate of pay is computed as of the date retirement would have occurred but for the provisions of a above. See table 1-1-7. Members who enter a uniformed Service after 7 Sep 1980 receive retired pay based on an average of basic pay rates for the period actually served not to exceed a 36-month period. See part one, chapter 3 for gross pay computation.

10132. Application

a. Voluntary Retirement

(1) Compute pay on the current active duty basic pay rate in effect on the first day of retirement if:

(a) Retired on other than an active duty basic pay rate change date.

(b) Retired on the same day as an active duty basic pay rate change, but was fully qualified for retirement or met requirements to be retired at least 1 month before the month immediately preceding the active duty basic pay rate change date, except for warrant officers retired under the provisions of 10 U.S.C. 564, 1255 (repealed), 1263, 1293, and 1305.

(c) Retired as an enlisted member regardless of qualification date.

(d) Retired as a commissioned officer under provisions of 10 U.S.C. 6323.

(2) Compute pay on the active duty basic pay rate in effect on the day before the first date of retirement if:

(a) Retired as a warrant officer under 10 U.S.C. 564, 1255 (repealed), 1263, 1293, and 1305.

(b) Retired on an active duty basic pay rate change date as a commissioned officer (other than an officer retired under 10 U.S.C. 6323) or warrant officer who first qualified for retirement during the month immediately preceding the active duty rate change date.

b. Mandatory Retirement

(1) Compute pay on the active duty basic pay rate in effect on the date when the member met the requirements for involuntary retirement, and is retired for mandatory reasons.

(2) The above provision does not apply, if:

(a) Before the date scheduled for mandatory retirement, the member qualifies for and requests voluntary retirement which is approved before the member is scheduled for mandatory retirement. See provisions for voluntary retirement in paragraph 10132a.

(b) The member is retained on active duty beyond mandatory retirement date for physical evaluation to determine eligibility for disability retirement and is retired for disability. See provisions for disability retirement.

c. FR/FMCR. The provisions of the URDA do not apply to members transferred to the Fleet Reserve/Fleet Marine Corps Reserve.

d. Disability Retirement

(1) Compute pay on the active duty rate in effect on the first day of retirement if the member:

(a) Retired on other than an active duty basic pay rate change date.

(b) Retired on an active duty pay rate change date and is otherwise eligible for voluntary retirement and met those requirements at least 1 month before the month immediately preceding the new basic pay rates. The new rates apply only to the formula for computation of entitlement for voluntary retirement.

(2) Compute pay on the active duty basic pay rate in effect on the day before the first day of retirement if the member:

(a) Retired on an active duty rate change date as a commissioned officer, warrant officer, or enlisted member, and

(b) Disability retirement findings approved without the Secretary concerned having designated an earlier retirement date under 10 U.S.C. 1221. The effective date of retirement is governed by the provisions of the URDA.

e. Non-Regular Service Reserve Retirement. Compute pay on the active duty basic pay rate in effect on the date when the member is granted retired pay.

10133. Special Provisions

Under specific circumstances, computation may be based on another basic pay rate that may provide greater pay. See chapter 3, sections B and C.

SECTION E

RANK AND PAY GRADE

10141. General Determination

a. Unless entitled to a higher grade under some other provisions of law, Regular and Reserve members, who retire other than for disability, retire in the regular or Reserve grade they hold on the date of retirement.

*b. A commissioned officer who voluntarily retires after 14 Sep 1981, in a grade above major or lieutenant commander and below lieutenant general or vice admiral, must have served on active duty in that grade for not less than 3 years. (During the period 1 Oct 1990 through 30 Sep 1995, the 3-year requirement may be reduced to 2 years). The President may waive this requirement in cases of extreme hardship or exceptional or unusual circumstances.

(1) An officer in a grade specified above who is on active duty 14 Sep 1981 and who is not promoted later to a grade higher or who on 14 Sep 1981 is on a list of officers recommended for promotion and is not promoted to a grade higher than the grade to which recommended must serve in that grade for not less than 2 years. The Secretary concerned may waive this requirement.

(2) An officer who does not meet the service-in-grade requirements retires in the next lower grade satisfactorily served on active duty for at least 6 months.

c. Unless entitled to a higher grade under some other provision of law, members of the Armed Forces who retire for disability are entitled to the highest of:

(1) The grade or rank in which serving when placed on the Temporary Disability Retired List or if not carried on that list, on the date retired.

(2) The highest grade or rank in which they satisfactorily served.

(3) The permanent regular or Reserve grade to which they would have been promoted had it not been for the disability for which retired

that was found to exist as the result of physical examination for promotion.

(4) The temporary grade to which they would have been promoted had it not been for the disability for which retired if eligibility for that promotion was required based on the cumulative years of service or years of service in grade and the disability was discovered as a result of physical examination for promotion.

d. An officer who is serving in or has served in a position of importance and responsibility designated by the President to carry the grade of general or admiral or lieutenant general or vice admiral may, in the discretion of the President, be retired by and with the advice and consent of the Senate, in the highest grade held on active duty.

10142. Special Provisions

a. Commissioned officers of the regular or Reserve component of the Army or Air Force and regular officers of the Navy or Marine Corps may, at the discretion of the President, be retired by and with the consent of the Senate, in the highest grade held at any time on the active list if they have served as:

- (1) Chief of Staff to the President.
- (2) Chief of Staff of the Army.
- (3) Chief of Staff of the Air Force.
- (4) Senior member of the Military Staff Committee of the United Nations.
- (5) General or lieutenant general in a position of importance and responsibility designated by the President.
- (6) Chief or assistant chief of a branch of the Regular Army for at least 4 years.
- (7) Surgeon General of the Army or Air Force in the grade of lieutenant general.
- (8) Permanent professor of the United States Military Academy or United States Air Force Academy. If the grade is below brigadier general and service as professor is long and distinguished, the professor may, at the discretion of the President, be retired in the grade of brigadier general.
- (9) Chief of Naval Operations.
- (10) Chiefs of Bureaus and Judge Advocate General.
- (11) Admirals or vice admirals in positions of great importance and responsibility designated by the President under 10 U.S.C. 5231.

b. Regular and Reserve commissioned officers of the Army and Air Force are entitled to the grade equal to the highest temporary grade in which they served on active duty satisfactorily for

not less than 6 months. See exception in paragraph 10141b.

c. Members of the Regular Army in the Army Nurse Corps or Army Medical Specialist Corps and an Air Force nurse or medical specialist are entitled to a retired grade equal to the highest grade or relative rank in which they served on active duty satisfactorily after 8 Sep 1940 and before 1 July 1946, as:

(1) A member of the Army Nurse Corps established by the Act of 9 July 1918.

(2) A dietitian or physical therapist appointed under the Act of 22 Dec 1942.

(3) An officer appointed under the Act of 22 June 1944.

d. Where an existing statute authorizes computation of pay on the basis of a grade in which the member served satisfactorily which is higher than the pay of the grade otherwise entitled, computation is based on the higher grade:

(1) Without regard to whether that grade was temporary or permanent.

(2) Even though the armed service in which the member held that higher grade is not the service in which retired.

e. Retired warrant officers of the Army and Air Force, and enlisted members of the Regular Army and Regular Air Force are entitled to be advanced on the retired list to the highest grade in which they served on active duty satisfactorily, when their active service plus time on the retired list equals 30 years.

f. Unless otherwise entitled to a higher grade, officers of the Regular Navy or Regular Marine Corps holding a permanent grade of W-1 or above, retired with 30 or more years of service are retired in the grade in which they are serving at the time of retirement.

g. Unless otherwise entitled to a higher grade, members of the Navy and Marine Corps retired while serving in a temporary grade to which they were appointed in time of war or national emergency which terminates on date of detachment are retired in the grade they would hold if they had not received such appointment.

h. Warrant officers of the Navy and Marine Corps who retire after completion of 20 years of service may elect to be retired in the highest grade entitled under any provision of law.

i. Unless otherwise entitled to a higher grade, members, other than retired members of the Navy or Marine Corps, when retired are advanced on the retired list to the highest officer grade in

which they served satisfactorily under a temporary appointment.

j. A courtesy title is not to be used for computation of pay. The grade for pay purposes is determined under the above criteria of general determinations and special provisions with specific reference to the law section authorizing grade for pay purposes.

k. Members promoted while missing in action (MIA) whose status is changed to killed in action (KIA) are exempted from the 6-month time-in-grade requirement since promotions received while in a missing status are "fully effective for all purposes" under 37 U.S.C. 552(a). Applicable only to Air Force and Army.

l. A member who enters a uniformed service after 7 Sep 1980 and who later retires may receive retired pay computed from a retired pay base made up of active duty pay rates from more than one grade.

10143. Satisfactory Service

The determination as to what constitutes satisfactory service for the purpose of retirement in the highest grade is within the discretionary power of the Secretary of the service concerned.

SECTION F--NONCITIZENS

10151. Philippine Constabulary

The Act of 2 Feb 1901, as amended by the Act of 16 May 1908, authorized the President of the United States to organize a military component to be known as the Philippine Scouts and made a part of the Regular Army.

a. The total number of enlisted men was limited to 12,000 voluntary enlisted natives of the Philippine Islands. The pay and allowances of whatever nature and kind authorized were to be fixed by the Secretary of the Army, not to exceed or be of other classes than those authorized enlisted men of the Regular Army. Retirement eligibility was the same as for enlisted men of the Regular Army.

b. Officers were initially selected from the Regular Army on provisional appointments. Effective 1 July 1920, all officers who were citizens of the United States, if qualified, were recommissioned in the Regular service and if not recommissioned, continued to serve under their commissions as officers of the Philippine Scouts. Officers were later selected from citizens of the Philippine Islands, appointed in the grade of second lieutenant. Officers were entitled to the

same pay, privileges, and retirement benefits authorized officers of like grade and service of the Regular Army.

c. The Philippine Scouts are not now maintained as a continuing part of the Army.

10152. Insular Force

The Insular Force of the United States Navy was established by Executive Order on 5 Apr 1901, as amended on 25 June 1901, authorizing the Secretary of the Navy to enlist in the Insular Force a total of 500 natives of the Islands of the Philippines and the Island of Guam. The force was established primarily to use the services of these men in various positions throughout the area in which they were enlisted and to which they were particularly adapted or suited. Members of the Insular Force were eligible for transfer to the Fleet Reserve or to the Retired List. The Insular Force is not now maintained as a continuing part of the Navy.

10153. Payment

a. **Philippine Scouts.** The rates of pay prescribed from time to time for enlisted men of the Philippine Scouts on the active list formed the basis for computing the amount of retired pay. There was no increase in pay and allowances (including retired pay) for the period 1 June 1946 through 31 Aug 1965.

b. **Insular Force.** Pay and allowances were permanently fixed at one-half the current prevailing rates for other members of the Regular Navy of corresponding grades. Retired pay is computed as for the Regular Navy at one-half of the basic pay rate.

c. **Equalization of Pay.** Effective 1 Sep 1965, the Secretary of the Army authorized new rates of basic pay for Philippine Scouts computed per (1) or (2) below, whichever is greater:

(1) One-half of the basic pay of enlisted members of the Army with comparable grades and length of service authorized by the Military Pay Act of 1958; or

(2) One-half of the basic pay authorized enlisted members of the Army with comparable grades and length of service on the day before the effective date of the Military Pay Act of 1958, increased by 6 percent, and further increased by 5 percent.

(3) Retired pay of Philippine Scouts was also authorized to be recomputed on the basis of the rates of basic pay so established, and that amount, in turn, further increased by the same

percentage of increase in retired pay as that provided by section 5(a) of the Act of 21 Aug 1965, 79 Stat 547. Future adjustments of retired pay of Philippine Scouts will be made to reflect changes in the Consumer Price Index as provided by 10 U.S.C. 1401a.

SECTION G---HEROISM PAY

10161. Entitlement

a. Service Retirement. Enlisted members of the Army, Air Force, Navy, and Marine Corps retired after the completion of 20 but less than 30 years of active service are eligible to receive 10 percent additional retired or retainer pay if credited with extraordinary heroism in the line of duty. Total retired pay, including the 10 percent increases, may not exceed maximum pay of 75 percent. Enlisted members of the Coast Guard retired after completion of 20 years, voluntarily or involuntarily, are eligible to have retired pay increased by an amount equal to 10 percent of the active duty pay and permanent additions thereto of the grade or rating with which retired if credited with extraordinary heroism in the line of duty. See part one, chapter 2, for transfer of Navy and Marine Corps enlisted members to the Fleet Reserve and Fleet Marine Corps Reserve.

b. Disability Retirement. Enlisted members retired for disability who are otherwise eligible for voluntary retirement for more than 20 years of service and entitled to a 10 percent increase in pay for certified acts of extraordinary heroism are entitled to an additional computation under the service retirement. Payment is based on the most favorable computation. This “most favorable” rule does not apply to an enlisted member of the Navy or Marine Corps retired for disability even though the member is otherwise eligible for transfer to the Fleet Reserve or Fleet Marine Corps Reserve.

10162. Determination of Entitlement

The Secretary of the service concerned has the authority to grant 10 percent additional retired pay to an individual who has performed an act of extraordinary heroism in the line of duty.

10163. Special Provisions

a. Advancement on the Retired List Retired enlisted members of the Regular Army or Air Force receiving the 10 percent additional increase in pay for extraordinary heroism are not entitled to the 10 percent increase when advanced

to a higher grade on the completion of 30 years of service. See part two, chapter 5.

b. Recomputation After a Period of Active Duty

***(1)** Retired enlisted members of the Army and Air Force are entitled to the 10 percent increase in retired pay for extraordinary heroism when pay is recomputed to reflect active service performed after date of retirement. The retired pay may not exceed 75 percent of the monthly basic pay upon which retired pay is based. Regardless of when the member's retired pay was recomputed, benefits shall not accrue under this provision for any period prior to November 1, 1992.

(2) Enlisted members of the Navy and Marine Corps who elected to receive retainer or retired pay computed under laws in effect on 9 Aug 1945, are not entitled to the 10 percent increase in their pay for extraordinary heroism when that pay is recomputed to reflect active service performed after date of transfer or retirement.

(3) Enlisted members of the Navy and Marine Corps who elected to receive retainer or retired pay computed under the Act of 10 Aug 1946 and 10 U.S.C. 6330 and 6331 are entitled to the 10 percent increase in their pay for extraordinary heroism on and after 10 Aug 1956, when that pay recomputed to reflect active service performed after date of transfer or retirement.

SECTION H---PAYMENT

10171. Effective Date of Payment

Pay accrues on a day-to-day basis from and including the date on which retirement is effective, except members who are transferred to the Fleet Reserve/Fleet Marine Corps Reserve. These members become entitled to pay on the day after the date of transfer.

a. Service Retirement. Except as otherwise provided by law, the effective date of retirement eligibility is the first day of the month after the month in which service requirements are fully met.

b. Disability Retirement. Placement on the Temporary and Permanent Disability Retired Lists may become effective on any day of the month as specified by the Secretary of the service concerned.

c. Mandatory Retirement for Age and Service. Members attaining age and/or service requirements for involuntary retirements are retained on active duty through the last day of the

month in which age or service requirements are met.

d. Non-Regular Service Retirement

Reservists are entitled to pay effective on the date on which the requirements for age and service have been met, or on the first day of any later month that the retiree may elect.

10172. Revocation of Retirement and/or Transfers

a. A member who is placed on the retired list is legally retired and such status cannot thereafter be changed retrospectively because of a mistake or poor judgment on the part of the retiring authorities. Fully executed orders for retirement, if not cancelled before the date of retirement, are final and may not be reopened, revoked, or amended in the absence of fraud, manifest error, mathematical miscalculation, mistake of law, or substantial new evidence.

b. Transfer of members to the Fleet Reserve/Fleet Marine Corps Reserve and to the retired list of the Regular Navy or Marine Corps or the Retired Reserve is conclusive for all purposes. The Secretary may correct any error or omission in the determination as to the member's grade and years of creditable service.

c. Payment of active duty pay and

allowances may be permitted after the first of the month in which retirement is effective until retirement orders are actually delivered to member later in the same month, provided prior notice of retirement orders had not been received.

d. Where advance notice of retirement orders is given but orders are not delivered, an attempt may be made to revoke them after they become effective and replace them with orders directing retirement at a later date. When the member apparently had no knowledge of the lack of legal authority for this action and active duty pay and allowances were received "under color of authority," the "defacto rule" permits repayment of active duty pay and allowances paid for the period and later collected.

10173. Computation

a. **Monthly Pay.** Compute monthly pay as if each month had 30 days. The daily rate is 1/30 of the monthly rate.

b. **Intermediate Day.** When retirement begins on an intermediate day of the month, compute pay at the rate of 1/30 for the actual number of days after date of retirement but only through the 30th day of that month. If pay begins on 28 February, pay accrues for 3 days, but if on 29 February, pay accrues for 2 days.

TABLE 1-1-1						
VOLUNTARY RETIREMENT						
R U L E	A	B	C	D	E	F
	A person who is	of the	and years of service total	including at least	may retire under 10 U.S.C.	with retired pay computed under t able 1-3-1
1	an enlisted member	Army	20 (note 1)		3914	rule 3.
2		Air Force			8914	
3	a regular enlisted member	Army	30		3917	rule 5.
4		Air Force			8917	rule 6.
5	a commissioned officer	Army	20 (note 2)	10 years' active commissioned service	3911	rule 5.
6		Air Force			8911	rule 6.
7		Army	30 (note 2)		3918	rule 5.
8		Air Force			8918	rule 6.
9		Army	40 (note 2)		3924	rule 5.
10		Air Force			8924	rule 6.
11	a warrant officer	Armed Forces	20 (note 3)		1293	rule 4.
12		Army	40 (note 3)		3924	rule 5.
13		Air Force			8924	rule 6.
14	a regular officer W-1 and above	Navy or Marine Corps Reserve	40 (note 2)		6321	rule 7.
15			30 (note 2)		6322	rule 8.
16			20 (note 2)		10 years' active commissioned service	6323 (note 4)
17	a regular enlisted member (note 5)				6326	rule 8.
18	an officer or enlisted member	Navy or Marine Corps Reserve	30 (note 2)		6327 (note 6)	rule 9.
19			20 (note 2)			

NOTES:

1. Paragraph 10102 (10 U.S.C. 3683, 3925, 8683, and 8925).
2. Paragraph 10103 (10 U.S.C. 3926, 6321, 6323, and 8926).
3. Paragraph 10104 (CCA 1949, section 511; 10 U.S.C. 6321 and 6322).
4. Members mandatorily retired under Public Law 86-155 are thereafter considered as having retired voluntarily

- pursuant to 10 U.S.C. 6323, see section 3, Public Law 85-155. No officer processed under Public Law 86-155 after 1 June 1966.
5. Including regular enlisted members holding temporary appointment as commission officer or warrant officer.
 6. Section 6327 expired 1 Jan 1973.

TABLE 1-1-2

MANDATORY RETIREMENT - COMMISSIONED OFFICERS AND WARRANT OFFICER

R U L E	A	B	C	D	E	F				G
	A person who is a	and has at least	who holds the regular grade of	and time in grade is	and is age	is retired by Secretary concerned under 10 U.S.C.				with retired pay computed under table 1-3-1
						Army	Air Force	Navy or Marine Corps	Armed Forces	
1	regular commissioned officer of the Army or Air Force		below MajGen (note 1)		60	3883 (note 22)	8883 (note 22)			rule 11 or 13.
2					62 (note 23)	1251	1251	1251	1251	rule 10.
3		35 years (note 2)	MajGen	5 years	60	3884 (note 22)	8884 (note 22)			rule 11 or 13.
4					62	3885 (note 22)	8885 (note 22)			
5					64	3886 (note 22)	8886 (note 22)			
6		20 years (note 2)	any grade (note 3)			3913	8913 (note 22)			
7			Lt Col (note 4)			3916	8916 (note 22)			
8	regular commissioned officer of the Army or Air Force	30 years (note 2)	any grade (note 5)	5 years		3919	8919 (note 22)			
9			Col (note 6)			3921	8921 (note 22)			
10			Brig Gen			3922	8922 (note 22)			
11			Maj Gen			3923	8923 (note 22)			
12	regular officer of the Navy or Marine Corps	35 years' commissioned service (note 2)	Rear Adm (notes 7 & 8)	7 years				6371 (notes 18 & 22)		rule 12.
13			Rear Adm (notes 8 & 9)					6372 (notes 19 & 22)		
14			Maj Gen (notes 8 & 10)	5 years				6373 (note 22)		

TABLE 1-1-2, CONTINUED

R U L E	A	B	C	D	E	F				G
	A person who is a	and has at least	who holds the regular grade of	and time in grade is	and is age	is retired by Secretary concerned under 10 U.S.C.				with retired pay computed under table 1-3-1
						Army	Air Force	Navy or Marine Corps	Armed Forces	
15	regular officer of the Navy or Marine Corps	35 years' commissioned service (note 2)	Brig Gen (note 7)					6374 (note 22)		rule 12.
16			Brig Gen (notes 8 & 10)	5 years				6375 (note 24)		
17		30 years' total commissioned service (note 2)	Capt (Navy) Col (MC) (notes 7 & 11)					6376 (note 22)		
18		31 years' total commissioned service (note 2)	Capt (Navy) Col (MC) (notes 8 & 12)							
19		30 years' total commissioned service (note 2)	Capt (Navy) Col (MC) (notes 9 & 11)					6377 (notes 20 & 22)		
20		31 years' total commissioned service (note 2)	Capt (Navy) Col (MC) (notes 8, 9, & 12)							
21		26 years (note 2)	Commander (Nurse Corps) (notes 8, 9, & 12)							
22		35 years (note 2)	Capt (Navy) Commander (Nurse Corps) (notes 5 & 9)		62			6378 (notes 21 & 22)		
23		26 years' total commissioned service (note 2)	Commander Lt Col (note 11)					6379 (note 22)		
24		20 years' total commissioned service (note 2)	Lt Commander Major (note 11)					6380 (note 22)		
25		30 years' active naval service	any grade (note 13)					6383		
26			Lt Commander Major (notes 11 & 13)							
27			any grade below Fleet Adm		62			6390 (note 22)		
28			Rear Admiral Maj Gen and Brig Gen					6394 (note 22)		

TABLE 1-1-2, CONTINUED

R U L E	A	B	C	D	E	F				G
	A person who is a	and has at least	who holds the regular grade of	and time in grade is	and is age	is retired by Secretary concerned under 10 U.S.C.				with retired pay computed under table 1-3-1
						Army	Air Force	Navy or Marine Corps	Armed Forces	
29	regular officer of the Navy or Marine Corps	20 years' active commissioned service (note 2)	Lt Comdr and below (Nurse Corps)					6396 (note 22)		rule 12.
30		26 years' active commissioned service	Comdr (female Navy) LtCol (female MC)					6398 (note 22)		
31		30 years' active commissioned service	Captain (female Navy) Col (female MC) (note 14)							
32		20 years' active commissioned service	Lt Comdr Maj (note 3) and below (female)					6400 (note 22)		
33	commissioned officer of the Army	30 years' commissioned service (note 17)	permanent professor, USMA			3920				rule 11.
34	commissioned officer of the Air Force		permanent professor, USAFA				8920			rule 13.
35	commissioned officer of the Army, Air Force		permanent professor, USMA or USAFA		64	1251	1251			rule 10.
36	permanent regular warrant officer of the Armed Forces	20 years (note 15)	WO1, WO2, and WO3 (note 11)						0564	
37			WO1, WO2, WO3, and WO4		55 (note 16)				1255	
38					62				1263	
39		30 years' service							1305	
40	regular officer of the Army, Air Force, Marine Corps, or Navy	28 years' commissioned service	Lt Col, Commander (Navy)			633	633	633	633	
41		30 years' commissioned service	Col, Capt (Navy)			634	634	634	634	
42			Brig Gen Commodore (Navy)	5 years		635	635	635	635	
43		35 years' commissioned service	Maj Gen Commodore (Navy)			636	636	636	636	

NOTES:

1. Except professor or registrar of United States Military Academy or Air Force Academy.
2. Army or Air Force - Service under paragraph 10105 (10 U.S.C. 3927, 8927 were repealed by Public Law 96-513).
3. Not recommended for promotion.
4. Promotion list lieutenant colonel
5. Excessive number in any grade.
6. Promotion list colonel.
7. Not restricted in performance of duty.
8. Not recommended for continuation on active duty.
9. Restricted in performance of duty.
10. Serving as Commandant of Marine Corps.
11. Twice failed of selection for promotion to next higher grade not on promotion list.
12. Not on promotion list. Retirement subject to completion of 5 years' service in grade.
13. Designated for limited duty.
14. Except women officers on promotion list or serving as assistant to Chief of Naval Personnel with rank of captain, or assistant to Commandant of Marine Corps with rank of colonel,
15. Service computed under paragraph 10104.
16. Female regular warrant officer. This statute was repealed by Public Law 90-130, 8 Nov 1967 (61 Stat 374).
17. Service computed under paragraph 10103.
18. Section 6371 suspended by Executive Order 11284, 27 May 1966.
19. Section 6372 suspended by Executive Order 11436, 2 Dec 1968.
20. Section 6377(c) repealed by Public Law 90-130, 8 Nov 1967.
21. Any Navy captain or commander who will complete 35 years of total commissioned service or who will become age 62 in the fiscal year in which the selection board is convened is ineligible for consideration for retention.
22. Sections repealed by Public Law 96-513, 12 Dec 1980, effective 15 Sep 1981.
23. Except a permanent professor, director of Admissions, or Registrar of United States Military Academy or United States Air Force Academy or a commissioned warrant officer, effective 15 Sep 1981.
24. Section 6375 was repealed by Public Law 87-123, 3 Aug 1961.

TABLE 1-1-3						
DISABILITY RETIREMENT						
R U L E	A	B	C	D	E	F
	A person who is	of the	ordered to active duty for	and is determined	may retire under 10 U.S.C.	with retired pay computed under
1	an enlisted member, warrant officer, or commissioned officer	Armed Forces, entitled to basic pay	30 days or less (note 1)	unfit to perform duties of his or her office, grade, rank, or rating because of physical disability (note 2)	1204	rule 1.
2					1205	rule 2.
3					1201	rule 1.
4					1202	rule 2.

Notes:

1. Paragraph 10107 (10 U.S.C. 1208).
2. Disability rating must be at least 30 percent unless the member has 20 years service (10 U.S.C. 1201, 1202, 1204, 1205).

TABLE 1-1-4						
AGE AND SERVICE, NON-REGULAR RETIREMENT						
R U L E	A	B	C	D	E	F
	A person who is	of the	and has at least	and is age	may retire under	with retired pay computed under
1	an enlisted member, warrant officer, or commissioned officer	Armed Forces, Reserve, or National Guard (note 1)	20 years' service (note 2)	60	10 U.S.C. 1331 (note 3)	table 1-3-1, rule 14.

Notes:

1. Who performed last 8 years of qualifying service as a member of a Reserve or National Guard component.

2. Paragraph 10108 (10 U.S.C. Sec 1332).

3. Not entitled to retired or retainer pay under any other provision of law.

TABLE 1-1-5

SERVICE AS CADET OR MIDSHIPMAN—OFFICERS—FOR BASIC PAY PURPOSES

R U L E	A	B	C	D
	When a member currently serving as an officer has had service as a cadet or midshipman in	to which appointed	and	the period involved is
1	any of the military or naval academies		held no concurrent enlisted and /or Reserve status	not creditable.
2		after 25 Jun 1956	enlistment contract or period of obligated service was not terminated	
3		as a permanent midshipman before 26 Jun 1956		creditable.
4			concurrently retained a commission or warrant in the Army or Air Force Reserve	
5		on or after 1 Jan 1953	concurrently held an enlisted status in the Army or Air Force Reserve	
6		before 26 Jun 1956		
7		on or after 1 Jan 1953 and before 26 Jun 1956	concurrently held an enlisted status in the Naval Reserve	
8		as a temporary midshipman, Naval Reservist, before 16 Jun 1956		
9	an aviation cadet program	in the appointive grade of aviation cadet	performed active service	
10		as an enlisted aviation cadet on or after 3 Jun 1941		
11	a United States Merchant Marine or State Maritime Academy	under the Naval Reserve Act of 1938	concurrently held an inactive Naval Reserve status	not creditable.
12	NROTC program	as a temporary midshipman before 26 Jun 1956	concurrently held a Reserve status in a uniformed service	creditable through 12 Oct 1964.
13		as a contract student		
14	AROTC and AFROTC program	before 13 Oct 1964		

TABLE 1-1-6				
ABSENCE FROM DUTY IN ENLISTED STATUS				
R U L E	A	B	C	
	When absence is	and	the period of absence is	
1	authorized leave or authorized excess leave		creditable.	
2	unauthorized absence of more than 1 day (24 consecutive hours), including detention of Army or Air Force members by or for civil authorities	is administratively excused as unavoidable		
3		is not administratively excused as unavoidable	not creditable (note 2).	
4		civil detention of a Navy or Marine Corps member		occurred before 24 Jul 1956 and the member was not acquitted or released without trial and without making restitution
5	occurred on or after 24 Jul 1956 and the member was absent under sentence or awaiting (and during) trial which resulted in conviction (note 1)			
6	inability to perform duty for more than 1 day (24 consecutive hours) because of intemperate use of alcohol or drugs, or disease or injury resulting from misconduct			
7				desertion
8	because of confinement for more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence (note 4)	member was a member of the Army or Air Force		
9	absence of a Navy or Marine Corps member because of confinement of more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence	confinement occurred on or after 24 Jul 1956 (note 4)		
10		confinement occurred before 24 Jul 1956	creditable (note 3).	

NOTES:

1. If the member is released without trial or acquitted, or if conviction is set aside on legal grounds (as distinguished from clemency), the period of absence is creditable. If the member is released upon agreement to make restitution or is later convicted by court-martial on the same facts, the period of absence is not creditable.
2. Absence during which a member was serving on active duty as an enlisted person and was also a reserve officer is creditable.

3. The period of absence is not creditable only if the confinement was under general court-martial sentence and/or while awaiting (and during) trial which resulted in sentence by a general court-martial to confinement and total loss of pay and allowances.
4. Period spent in confinement is creditable service when the member is acquitted or the sentence is set aside or disapproved.

TABLE 1-1-7

RATE OF BASIC PAY FOR RETIRED PAY COMPUTATION (5 U.S.C. 8301(b))(Note 7)

R U L E	A	B	C	D	E
	A member who	and is	who fully qualified or met requirements to be retired	and retirement is	may compute pay using active duty basic pay rates in effect on
1	retires on other than the first day of an active duty basic pay rate change	an enlisted member, warrant officer, or commissioned officer	at any time	voluntary, mandatory, disability, Reservist (age and service)	the first day of retirement (notes 1, 2, and 3).
2	retires on the first day of an active duty basic pay rate change	an enlisted member (note 4)		voluntary	the first day of retirement (notes 1 and 2).
3		a warrant officer			
4		a commissioned officer	before the month immediately preceding the active duty basic pay rate change date (note 5)		
5			at any time prior to the active duty basic pay rate change date	voluntary (note 5)	
6			during the month immediately preceding the active duty basic pay rate change date	voluntary	the day before the first day of retirement (notes 1 and 2).
7			a warrant officer	any time	
8		a commissioned officer			
9		an enlisted member, warrant officer, or commissioned officer	during the month immediately preceding the active duty basic pay rate change date without Secretarial action designating an earlier retirement date	disability (note 6)	the day before the first day of retirement (note 1).
10	any time		Reservist (age and service)	the date the member is granted retired pay (note 1).	

NOTES:

1. Under former section 10 U.S.C.1401(e) (repealed by Public Law 98-94, 24 Sep 1983), a member may use one prior rate of basic pay if more advantageous to the member provided the member is eligible for retirement on or before 24 Sep 1983 and retires on or before 24 Sep 1986. If such member retires after 24 Sep 1986, the retired or retainer pay may not be less than it would have been had the member actually retired on 23 Sep 1986.
2. For members who qualify for retirement on an earlier computation date under the same or some other provision of law, compute under rates in effect on that earlier date based on grade and service credited at that time, if that rate is greater (10 U.S.C. 1401a(f)).
3. Warrant officers voluntarily retired (10 U.S.C. 1401, formula 4).
4. Not applicable to Navy and Marine Corps enlisted members transferred to the Fleet Reserve or Fleet Marine Corps Reserve.
5. Applicable only to retirements under 10 U.S.C. 6323.
6. If otherwise retirement eligible, follow rule for that retirement.
7. A retired pay base is used in lieu of a basic pay rate in the computation of retired pay for members who enter the uniformed services after 7 Sep 1980.